

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On Dec. 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Brenda J. Dolly  
Brenda J. Dolly

**PATENT**

Attorney Docket No.: 019496-006700US  
Client Ref. No.: G5-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Yen Choo

Application No.: 09/646,353

Filed: November 27, 2000

For: NUCLEIC ACID BINDING  
PROTEINS

Customer No.: 20350

Confirmation No. 8682

Examiner: Teresa D. Wessendorf

Technology Center/Art Unit: 1639

**PETITION UNDER 37 CFR 1.48(a)**

**Mail Stop Issue Fee**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance mailed on September 22, 2004, Applicants submit the Issue Fee and following remarks and documentation, and respectfully request their consideration.

**Remarks/Arguments begin on page 2 of this paper.**

12/28/2004 MMKONE1 0000006 201430 09646353

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**REMARKS/ARGUMENTS**

Applicants request deletion of Mark Isalan as a co-inventor, leaving Yen Choo as the sole inventor. Attached are the following:

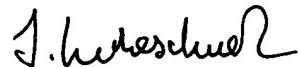
- (1) Statement of Mark Isalan saying the error in naming him as an inventor arose without deceptive intent;
- (2) Declaration signed by Yen Choo;
- (3) Consent of Assignee; and
- (4) ADS containing the revised inventorship.

A statement under 37 CFR 3.73 is already of record (December 16, 2002) in the case.

Please charge the Petition fee of \$130.00 to deposit account 20-1430. Please charge any additional fees or credit any overpayment to the same account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Joe Liebeschuetz  
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300  
Attachments  
JOL:jol  
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In re application of:

Yen Choo and Mark Isalan

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**STATEMENT OF DELETED INVENTOR UNDER 37 CFR 1.48(a)**

Sir:

I understand I am being deleted as an inventor from the above application leaving Yen Choo as the sole inventor. The error in naming me as an inventor occurred without any deceptive intent on my part.

Respectfully submitted,

12/21/2004  
Date

Mark Isalan  
Mark Isalan



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On Dec. 22, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Brenda J. Dolly  
Brenda J. Dolly

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Yen Choo and Mark Isalan

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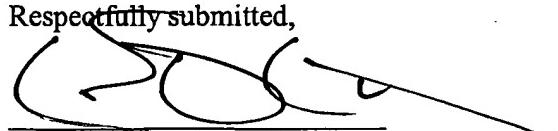
Commissioner for Patents  
P.O. Box 1450  
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**CONSENT OF ASSIGNEE UNDER 37 CFR 1.48(a)**

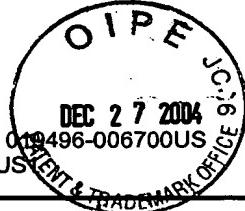
Sir:

I understand that Mark Isalan is being deleted as an inventor, leaving Yen Choo as the sole inventor. On behalf of the assignee, I consent to this change of inventorship.

12/17/04  
Date

Respectfully submitted,  
  
Edward O. Lanphier II  
Director, Gendaq Limited

DEC 27 2004



## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	NUCLEIC ACID BINDING PROTEINS
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- The attached application, or  
 Application No. 09/646,353, filed on November 27, 2000,  
 as amended on December 3, 2003 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: Yen Choo

Date: 22/11/2004

Signature: Yen Choo

Citizen of: United Kingdom Greece

Inventor two: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Inventor three: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.